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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,573	04/11/2006	Johannus Wilhelmus Weekamp	NL031275US1	1365

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EXAMINER

WILLIAMS, ALEXANDER O

ART UNIT

PAPER NUMBER

2826

MAIL DATE

DELIVERY MODE

07/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/575,573

Applicant(s)

WEEKAMP ET AL.

Examiner

Alexander O. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/02)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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Serial Number: 10/575573 Attorney's Docket #: NL031275US1

Filing Date: 4/11/2006;

Applicant: Weekamp et al.

Examiner: Alexander Williams

Applicant's Amendment filed 6/11/08 has been acknowledged.

Claims 14 and 15 have been cancelled.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claim language in claims 1, 4, 11 and 12 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

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Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claims 1 to 13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is unclear and confusing to what is meant by "the body is provided with **a recess extending completely from the first side to the second side**, and a sectional area of the recess on the second side is larger than a sectional area of the recess on the first side of the device." How is this recess going thru the device? Where is this shown in the drawings and detailed in the specification?

In claims 2-8, the phrase "A device as claimed in claim" should be --The device as claimed in claim--.

In claim 4, it is unclear and confusing to what is meant by "in that the recess is trapezoidal." Where is this shown and detailed in the drawings?

In claims 9-11, the phrase "The assembly" lack proper antecedent basis.

In claim 11, it is unclear and confusing to what is meant by and what shows "a lid on the second side of the device, the lid and the device enclosing a channel which connects to the recess and is suitable for the transport of a fluid." Where is this shown in the drawings and detailed in the specification?

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In claim 12, the phrase "A sub-assembly of a device as claimed in claim 1" is confusing and unclear. Is this device the same as claimed in claim 1?

In claim 12, it is unclear and confusing to what is meant by "a lid including a channel extending between first and second connections and coupled to the second side of the device, the lid and the device thereby enclosing the channel which further connects to the recess and which is suitable for the transport of a fluid into the recess between the first and second connection." Where is this shown in the drawings and detailed in the specification?

Any of claims 1 to 13 not specifically addressed above are rejected as being dependent on one or more of the claims which have been specifically objected to above.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-13, **insofar as they can be understood**, are rejected under 35 U.S.C. § 102(e) as being anticipated by Daeche et al. (U.S. Patent # 7,221,048 B2).

1. Daeche et al. (figures 1 to 28) specifically figure show a device provided with a body of an electrically insulating material **30,11,7** having a first side **9** and, opposite thereto, a second side, electric conductors comprises first **14**, second **13** and third **6** layers, wherein the electrically insulating material extends into cavities **11** between pattern in the second layer to mechanically anchor the electric conductors in the body on the first side, wherein: the body is provided with a recess extending completely from the first side to the second side, and a sectional area of the recess on the second side is larger than a sectional area of the recess on the first side of the device.

2. A device as claimed in claim 1, Daeche et al. characterize in that at least a number of electric conductors comprise

interconnect portions and bonding pad portions, which bonding pad portions have a larger diameter than the interconnect portions and are ordered such that they are suitable for electric coupling with an electric element arranged on the first side.

3. A device as claimed in claim 2, Daeche et al. characterize in that the bonding pad portions of the conductors are arranged in at least a circle around the recess, in such a manner that the electric element can be attached in a flip-chip orientation to the bonding pad portions by means of connecting means.

4. A device as claimed in claim 1, Daeche et al. characterize in that the recess is trapezoidal.

5. A device as claimed in claim 1, Daeche et al. characterize in that a further electric element is embedded in the body, which element is electrically coupled to a number of the electric conductors.

6. A device as claimed in claim 2, Daeche et al. characterize the bonding pad portions being present in the third layer.

7. A device as claimed in claim 1, Daeche et al. characterize in that the body comprises a first part, a second part and a third part, wherein the recess is situated in the first part, and the third part is situated between the first part and the second part, and is bent such that the second part extends substantially parallel to the first part, wherein an electric element can be placed on the second part on the first side, such

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that a surface of the element is accessible via the recess in the first part.

8. A device as claimed in claim 1, Daeche et al. characterize in that the body comprises a first part, a fourth part and a fifth part, wherein the recess is situated in the first part, and the fifth part is situated between the first part and the fourth part, and is bent such that the fourth part extends substantially parallel to the first part, which first and fourth parts enclose a channel which connects to the recess and is suitable for transporting a fluid.

9. The assembly of the device, as claimed in claim 1, Daeche et al. show an electric element **2**, which electric element is attached to the first side of the device in a manner such that a surface of the element is accessible via the recess in the body.

10. The assembly as claimed in claim 9, Daeche et al. characterize in that also contact faces are situated at the surface of the element, which contact faces are electrically connected to conductors on the first side of the device by means of connecting means, said contact faces and the portions of the conductors connected thereto being situated opposite each other and being separated from the part of the surface reached via the recess.

11. The assembly as claimed in claim 9, Daeche et al. further provided with a lid on the second side of the device, the lid and the device enclosing a channel which connects to the recess and is suitable for the transport of a fluid.

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12. A sub-assembly of a device as claimed in claim 1, Daeche et al. comprises an electric element **2** coupled to the first side, such that a functional portion of a surface of the electric element is accessible via the recess, and a lid including a channel extending between first and second connections and coupled to the second side of the device, the lid and the device thereby enclosing the channel which further connects to the recess and which is suitable for the transport of a fluid into the recess between the first and second connection (see figures 3 and 4).

13. A sub-assembly as claimed in claim 12, Daeche et al. characterize in that a plurality of individual devices and corresponding lids are present, which can be separated into individual units in a joint separating step.

Response

Applicant's arguments filed 6/11/08 have been fully considered, but are moot in view of the new grounds of rejections detailed above.

The insertion of Applicant's additional claimed language, for example, "in the Amendment filed 1/2/2008 of claims 1, 6, 7, 9, 10 and 12" cause for further search and consideration to make this action final.

Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT

MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

The listed references are cited as of interest to this application, but not applied at this time.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander O. Williams whose telephone number is (571) 272 1924. The examiner can normally be reached on M-F 6:30AM-7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sue Purvis can be reached on (571) 272 1236. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AOW
7/16/2008

/Alexander O Williams/
Primary Examiner, Art Unit 2826